

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:10cv22**

<b>THE HAMMOCKS, LLC,</b>	)
<b>d/b/a Richmond Hill Inn,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>vs.</b>	)
	)
<b>HARLEYSVILLE MUTUAL</b>	)
<b>INSURANCE COMPANY,</b>	)
	)
<b>Defendant.</b>	)
_____	)

**ORDER**

**THIS MATTER** is before the Court *sua sponte*.

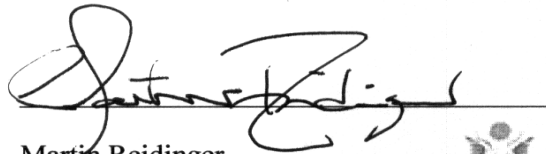
By Memorandum of Decision and Order filed on September 28, 2010, the Court ruled that the reference of this matter to the United States Bankruptcy Court for the Western District of North Carolina is withdrawn. [Doc. 5]. The Court also ruled that all time periods within which to file answer or other response were stayed. [Id.]. The parties have dismissed the companion case of Harleysville Mutual Insurance Company v. Richmond Hill, Inc., Civil Case No. 1:09cv377. As a result, no consolidation of the two cases is necessary and this case may proceed.

**IT IS, THEREFORE, ORDERED** that on or before fifteen (15) days from entry of this Order, the Plaintiff shall file in the record of this action a copy of the complaint filed in the adversary proceeding, Adversary Proceeding No. 09-01035, now withdrawn from Bankruptcy Court.

**IT IS FURTHER ORDERED** that on or before fifteen (15) days from such filing, the Defendant may file answer or other response to the complaint.

**IT IS FURTHER ORDERED** that the Clerk of Court shall show this matter referred to the Magistrate Judge as a new civil action.

Signed: October 22, 2010

  
Martin Reidinger  
United States District Judge

